
TITLE 816 BOARD OF BARBER EXAMINERS

**Administrative Rules Oversight Committee Notice
60 Day Requirement ([IC 4-22-2-19](#))
LSA Document #06-152**

July 14, 2006

Senator R. Michael Young, Chair
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

Re: LSA 06-152 – Proposed rule regarding fees assessed by the Board of Barber Examiners

Dear Senator Young:

On behalf of the Board of Barber Examiners (Board), Indiana Professional Licensing Agency, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-19](#) which requires an agency to begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule.

The Board published its notice of intent to adopt a rule, LSA document number 05-1146 [*sic.*], at 28 IR 2998 on July 1, 2005, within sixty (60) days after the effective date of SEA 139 (P.L.194-2005) in compliance with [IC 4-22-2-19](#). The Notice of Public Hearing was published on December 1, 2005, at 29 IR 892, and the public hearing was held on February 13, 2006. However, the cost-benefit analysis of the proposed rule required by Executive Order 05-02 and [IC 4-3-22-13](#) was not completed in time for the rule to meet the one year requirement of [IC 4-22-2-25](#).

A notice of intent, LSA document number 06-152, was published on June 1, 2006, at 29 IR 3044 concerning the same subject matter, the determination of the amount of fees which should be assessed to bring the rules into conformity with the statutory changes in SEA 139 (P.L.194-2005) and [IC 25-1-8-2\(c\)](#), which requires that in no case shall the fees be less than are required to pay all of the costs, both direct and indirect, of the operation of the board. [IC 25-1-8-2\(b\)](#) provides that fees established by statute shall remain in effect until replaced by a new fee adopted by rule.

Your understanding of these circumstances is greatly appreciated. If you need additional information, please do not hesitate to contact me at 234-1987.

Sincerely,

Barbara Marvel McNutt
Chief Counsel

Cc: Frances L. Kelly, Executive Director
Wade Lowhorn, Deputy Director
Tracy Hicks, Board Director

Posted: 08/02/2006 by Legislative Services Agency
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